

## ROUTES TO ISLAND AUTONOMY?

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In the Spring of 1982 the Secretary of State set up a Committee of Inquiry into the Functions and Powers of the Islands Councils of Scotland, under the Chairmanship of Sir David Montgomery. The Committee's remit was as follows:

Having regard to the remoteness of the communities within the areas of the Islands Councils of Scotland and to the impact upon those communities of major economic development (such as projects associated with off-shore oil exploitation) and with a view to improving the effective and economical discharge of functions by these Councils:

1. to review their discharge since May 1975 of the functions placed upon them by the Local Government (Scotland) Act 1973 and related public general and local legislations, and
2. to recommend whether any changes in such legislation or in administrative practice are desirable in the local and national interest.

The purpose of this article is to present a résumé of the chain of events which led to the establishment of the Montgomery Committee, since the announcement by the Secretary of State, George Younger, had been expected, with varying degrees of confidence, for some considerable time - in fact, even after the repeal in June 1979 of the Scotland Act, 1978.

As will be seen, there are, broadly, two strands of thought about the issue of "Island government". One, what is loosely thought of as Northern Isles separatism, points to the history of the Scotland Bill and also to the founding of the Shetland Movement and the Orkney Movement. The other strand emphasises the institutional rather than political aspects, points to the essentially Local Government nature of the Inquiry and stresses that the Island Councils, as Scotland's only

single-tier authorities, missed out on the review conducted by the Stodart Committee, which reported in 1981 on problems encountered at the regional/district interface<sup>(1)</sup>. As has been the case elsewhere in Scottish politics, however, oil which has fuelled the political debate has also at times clogged up and obscured other, non-oil issues. To be specific, in this case it is possible to see oil resources as sparking off radical, separatist ambitions; it is equally plausible to argue that the issue is really concerned with the powers already exercised under the Orkney County Council and Zetland County Council Acts by the two Northern Island Councils, and jealously guarded for various, readily comprehensible, reasons.

But first it may be appropriate to say a word about the popular notions of the collective characteristics of the peoples of the respective Northern archipelagos. One well-known stereotype is that the Shetlander (like the Faroese) is a fisherman with a bit of land while the typical Orcadian is a farmer with a boat. The political equivalent of this myth is that Shetlanders are more radical, restless Vikings compared with their more conservative, settled Orcadian confrères to the south. The harsher landscape of Shetland (not dissimilar to the Western Isles), contrasting with the floating green acres of Orkney, seems to fit in with this view.

Nevertheless, the institutional development of the two island groups (which have after all formed one parliamentary constituency since 1832) is remarkably similar. In modern times each formed a county within the Scottish realm; each suffered the same kind of gradual depopulation as many other islands; but there was little political excitement, let alone unrest, from the date when Jo Grimond unseated the Conservative & Unionist MP, Sir B.H.H. Neven-Spence, in 1950. Indeed the election of a Liberal MP, independent of the two big British parties, seemed almost a logical thing for the islands to do, and in fact was a reversion to an older pattern: historically Orkney & Shetland has normally been a Liberal seat.

Everyone is aware that Shetland and Orkney have been "hit" by the oil industry, and an endless stream of television crews, journalists and researchers has flown in to record the story of how the local authorities have faced up to the oil invasion. The purpose of this article is not to add to the literature on The Impact of Oil on the Remote, Windswept Isles<sup>(2)</sup> but rather to look at local government

and how the question of identity has become inextricably bound up with it: in other words, how centre-periphery relations have evolved.

The first cloud on the horizon to disturb the County Councils of Zetland<sup>(3)</sup> and Orkney - and to a lesser extent the burghs of Kirkwall, Stromness and Lerwick - was the proposal arising from the 1962 Royal Commission on the Police<sup>(4)</sup> for a merger of the police forces of Shetland, Orkney, Caithness and Sutherland. As *The Orcadian* drily put it, "The idea was not received with any enthusiasm locally."<sup>(5)</sup>

The following year, the (Conservative) Government's White Paper on "The Modernisation of Local Government in Scotland"<sup>(6)</sup>, with its suggestions of amalgamations, gave rise to some concern, particularly in the burghs. A Northern Burghs Association had just been set up, covering all burghs from Inverness northwards<sup>(7)</sup>, and the local authorities within each county began to co-ordinate their responses to current proposals, culminating in a statement in October 1966 in Orkney opposing any "bigger massing of authorities" than the county level. At that stage it was the police merger (Orkney, Shetland and Caithness) which was occasioning most concern, although the appointment of the Wheatley Commission on Local Government (by the Labour Government) was another straw in a centralising wind.

What really stirred things up, however, was the proposal of the Water Advisory Committee in 1966 for a water board embracing Caithness, Orkney, Shetland and Sutherland. There was an ironic symbolism about the issue: it was water, after all, that divided Orkney and Shetland from each other and from the Scottish mainland. The absurdity (in Orcadian and Shetland eyes) of the proposals, duly enacted<sup>(8)</sup> nevertheless in the Water (Scotland) Act 1967, led to widespread protests which were unprecedented in being public. The occasion was the ill-timed visit of the Secretary of State for Scotland, Willie Ross. In Shetland his car was stopped by "guerrillas"<sup>(9)</sup> and he was asked for his passport (and, according to the legend, was not amused); in Kirkwall he was met with protest posters, and demonstrations by "Vikings", and in Stromness by the appearance of a "Back to Denmark" slogan which was to recur sporadically. As *The Orcadian*<sup>(10)</sup> editorialised,

1967 will go down in our island history as the year of protest. Orcadians suddenly awoke to the fact that they were in danger of losing their individuality in a creeping bureaucracy, while their traditions looked like being swallowed up in a mass of mergers emanating

from the Scottish Office.

There was a feeling of resentment and frustration in the air which showed itself in a number of irritated outbursts against the centralised authoritarianism.

The "Back to Scandinavia" was one example of this, and the chilly reception of the Scottish Secretary, Mr Ross, was another.

Fortunately or unfortunately for the Wheatley Commissioners, their visit to the islands coincided with the Water Board row.<sup>(11)</sup> What is particularly interesting, however, is that the strong representations made by the local authorities of Orkney and Shetland to the Commission<sup>(12)</sup> against any mergers of the counties<sup>(13)</sup> were overruled by a majority on the Commission, which presented in its Report<sup>(14)</sup> a proposal for a Highlands and Islands Region stretching from the Mull of Kintyre in Argyll to Herma Ness in Shetland. It was however the minority reports of H.T. MacCalman and MPs Russell Johnston (Lib.)<sup>(15)</sup> and Betty Harvie Anderson (Con.) proposing special status for Orkney and Shetland which ultimately found favour with the (by then Conservative) Government, as expressed in the White Paper "The Reform of Local Government in Scotland".<sup>(16)</sup>

At any rate by 1971 Orkney and Shetland could afford to be relatively complacent. The White Paper and Government statements confirmed that they would have their own special status and this was welcomed in both Shetland and Orkney.

The case of the Western Isles (a Parliamentary constituency only since World War I) was rather different, but just as interesting. In the old (pre-Wheatley) system Lewis had formed part of the County of Ross & Cromarty, while Harris, the Uists and Barra were part of Inverness-shire; county councillors from the Outer Hebrides journeyed for meetings to Dingwall and Inverness respectively. There was thus no "threatened" institution to campaign against amalgamation with the mainland. The only local authorities to submit evidence to Wheatley proposing an all-purpose authority for the Western Isles were Stornoway Town Council and Lewis District Council.<sup>(17)</sup> The case met with approval in the minority report of Mr Johnston and Miss Harvie Anderson, but not in that of Mr MacCalman - nor, more importantly, in the White Paper of 1971.

In spite of this the Western Isles (like Fife and the Borders, one might add) eventually emerged as a top-tier local authority. The

fact that this did occur can be attributed partly to a climate receptive to marginal changes to the Wheatley Report (not uninfluenced by what was happening to English Local Government reform)<sup>(18)</sup>, partly to the representations made by the Convention of Royal Burghs (with the tacit approval of other local government representative bodies) and partly to the election of a Nationalist MP, Donald Stewart, to the Western Isles in the 1970 General Election. Identity was coming to have more weight in the political balance vis-à-vis "efficiency" as measured by the ability to run certain services (the Borders, for instance, shares its police and fire services with an adjacent region). Orkney and Shetland certainly possess distinctive accents and vigorous dialects but the Western Isles, being predominantly Gaelic-speaking, could put in an equal claim to cultural distinctiveness.<sup>(19)</sup> An interesting question to monitor for the future will be the extent to which the institutional changes in the Western Isles lead to a greater similarity of attitude (on the core-periphery scale) between it and the Northern Isles. It is significant in this context that the BBC set up a local radio station in Stornoway following the establishment of those in Lerwick and Kirkwall.

In looking at the oil question some immediate differences are apparent. Whether the different statutory positions of the three Island Councils derive from the very different scale of oil operations in each case is to some extent still an unanswered question.

The Zetland County Council Act of 1974 (the ZCC Act) is obviously a milestone of some importance and its fame as symbolising a David and Goliath contest has brought observers to Shetland from many parts of the world. Although this is not the place for a detailed examination of the legislation<sup>(20)</sup>, one or two points should perhaps be made.

In the first place, the timing;<sup>(21)</sup> the genesis of the legislative proposals was in late 1971.<sup>(22)</sup> Certainly it was in the spring of 1972 that thought was given to the desirability of compulsory land acquisition powers by the then County Clerk and General Manager, the now legendary Ian Clark, who had taken up a post (as Treasurer) with the County Council in 1968. But it was in November and December, faced with an urgent deadline, that the ZCC approved of the plan to present a draft ZCC Order to the Scottish Office, and this subsequently had to become a substituted Private Bill, which received its Second Reading in April 1973 and - despite the intervention of a "catastrophic"<sup>(23)</sup>

County Council election and a General Election - received the Royal Assent in April 1974.

Orkney County Council<sup>(24)</sup> was following Shetland's progress with interest and decided in January 1973 to go for an OCC Provisional Order (entering the cycle six months after Shetland); it again became a Private Bill.<sup>(25)</sup> The OCC Act became law also in 1974.

It should be remarked in parenthesis that of course there was never any possibility of a parallel Act for the Western Isles, due to the absence of either a County Council or an oil industry in the Outer Hebrides.

The second point to make about both private Acts is that they give the Councils the firm prospect of some millions of pounds as compensation, in effect, for the disruption caused and the costs imposed by the landfall of oil. These extra resources inevitably give rise to at least the potential for heightened political debate about their allocation.

Thirdly, the existence of special oil funds gave the Island Councils or Orkney and Shetland an additional stake in defending their special status which went beyond the claims of island identity and involved hard cash.

The year 1974 saw not only the passage of the celebrated private Acts and two General Elections (which led to no change in the Islands' representation in Parliament) but also the first election of councillors to the new most-purpose Island Councils, in accordance with the terms of the Local Government (Scotland) Act 1973. 1975 was no less noteworthy politically: the new Councils took over from the old counties, burghs and districts, and there was a referendum on the Common Market, the results of which (thanks in part to Local Government re-organisation) were announced separately for Orkney, Shetland and the Western Isles. Shetland and the Western Isles, as it turned out, were the only parts of the British Isles to vote No.

The next big political battle also concerned a referendum, this time on devolution, commencing with the publication of the Scotland and Wales Bill in late 1976. The story is a complicated one, not least because the MP, Jo Grimond, was pro-devolution and was faced by local authorities hostile to the proposed Assembly. (This situation was replicated over most of Scotland and, indeed, Wales as most top-tier local authorities feared loss of powers to an Assembly; but islands

are rather special cases.) The real complication arose when anti-devolutionist MPs decided to try to excise Shetland and Orkney (but not the Western Isles) from the devolution proposals. The justification given was that the people of the Northern Isles did not want to belong to a "devolved" Scotland, but wished to "stay as they were" (rather than go back to Scandinavia, presumably). As proof of the feelings of Orcadians and Shetlanders the resolutions of the respective Islands Councils were adduced - the "voice of the islands". Some anti-devolution councillors (notably the then OIC Convener, the then SIC Vice-Convener and the then Councillor for Whalsay, Colonel Dainty) gave voluble and valuable support to the anti-devolutionists, who pressed a Conservative amendment<sup>(26)</sup> to exclude Orkney and Shetland from the provisions of the Bill; it failed by 19 votes on January 19, 1977. The following month Grimond moved, successfully, that Orkney and Shetland be separate single-member constituencies in the Scottish Assembly; but the Bill foundered later that month.

With the publication of the successor Scotland Bill battle was resumed. This time however it was Grimond who, at the request of the two Councils, moved that, in the event of a No majority in either Orkney or Shetland in the referendum, a commission would be set up to examine the relationship of the affected islands to the Assembly. This "Grimond amendment" was passed, against the Government's wishes, in January 1978. Subsequently, however, Secretary of State Bruce Millan worked out a new deal, accepted by both Councils, meeting on the same day,<sup>(27)</sup> to replace the amended clause with a new provision for the establishment of a commission soon after the implementation of the Scotland Act, irrespective of how Shetlanders and Orcadians had voted in the referendum. This new clause was accepted by the House of Lords and later by the Commons. Clearly the moral force of the joint action by the MP and the two Councils swung the issue on both occasions.

The Commission solution was consolidated by two other developments. The first was a postal referendum organised by the SIC which got support from a majority of the electorate for the proposition, "In view of the proposals for devolution for Scotland, do you agree that the Shetland Islands Council should continue to press for Shetland's position to be considered through the establishment of a Commission as proposed by Mr J. Grimond?"<sup>(28)</sup>

The second was a pledge by Opposition spokesman Francis Pym, MP, supported by the Conservative prospective candidate for Orkney and Shetland, Charles Donaldson, that an incoming Conservative government would set up a commission if requested to do so by the Councils, irrespective of the fate of the Scotland Act.

Such a request was eventually made by the SIC in February 1981 and, as an official response was still awaited, in July 1981 the Shetland Movement sent a leaflet, supporting this move and setting out its aims, to every household in Shetland.

Before attention is directed to the new political movements in the islands it is worth underlining Dowle's point<sup>(29)</sup> that the Councils' action was essentially conservative in character, i.e. in defence of the concessions which they alone of Scottish local authorities had obtained in getting some oil revenues diverted into their coffers. Having got this concession from one Parliament they were nervous about the prospect of having it taken away again by another. Those who were opposed to any form of devolution to Scotland were happy to support the Councils' stand. More ambiguous was the position of the autonomist movements, the Shetland Movement<sup>(30)</sup> and the Orkney Movement.

The former, founded in 1977, successfully attracted support for the idea of Shetland autonomy but did not adopt a position for or against Scottish self-government. It was thus perfectly possible for SNP supporters as well as those of the Conservative Party to adhere to the Shetland Movement; and at the general meeting in Lerwick Town Hall<sup>(31)</sup> which adopted constitutional proposals the leadership neatly sidestepped an attempt to pin the Movement's colours to an anti-Scottish Assembly or anti-Scottish Office mast.

The Orkney Movement's position is less clear but, in the absence of a specific statement on the subject and given their general adherence to the constitutional line taken by the Shetland Movement, it appears that it is neutral on the Scottish self-government question, while being passionately in favour of Orkney's autonomy. In any case the Orkney Movement has until very recently been more active in campaigning on specific issues, notably the uranium mining threat and the Hydro Board surcharge, than on the constitutional question.

The electricity surcharge (for diesel generator supplied customers in the Scottish islands) opened up a new prospect of a united front by the islands in defence of common interests. On this occasion

the islands were Orkney, Shetland and the Western Isles.<sup>(32)</sup> The three Island Councils joined forces with MPs Stewart and Grimond and were backed by the Orkney Movement (with an Orkney-wide leaflet distribution) and the Shetland Movement. Moreover visits of councillors regularly take place under the aegis of COSLA to each others' island capitals, and there is every indication that the Island Policy Committee of COSLA will grow in importance as a co-ordinating body for joint action.

The year up to May 1982 - a year inevitably dominated by the imminence of Council elections - saw rather different developments in Orkney and Shetland. In the first place the Orkney Movement began to catch up on the Shetland Movement in certain respects. Its membership - at 500 still short of the 800 who had joined the Shetland Movement - showed a steady but not unimpressive growth and was bolstered by a policy of spreading the word to the more rural areas of Orkney, notably the outlying islands. Moreover, although the Orkney Movement was in Council terms an "outsiders' party", it picked up support from Councillors and Council candidates. Pari passu with this development came a greater boldness in stressing the core aim of autonomy (and support for the Commission demand) as opposed to emphasis on socio-economic issues. The culmination of these tendencies was the decision by the young Chairman of the Movement, Spencer Rosie, to contest his Kirkwall ward under the Orkney Movement's banner. In the event his gamble paid off and he was returned in what was one of the major upsets of the Orkney Islands Council elections.

In Shetland the position had always been different: the Shetland Movement, while possessing certain characteristics of an Opposition grouping, if not party, was nevertheless an insider group which before the elections could boast of the support of almost half the Councillors on the SIC. Already it was influential within the Council chamber and of course fully supported the Council's official request for a Commission of Inquiry as envisaged by the Scotland Act. In pursuit of a dominant position, particularly in terms of its constitutional objectives, the Movement backed off from its earlier idea of turning the Council elections into a referendum on the autonomy issue by putting up an official Shetland Movement candidate in each ward. Instead the Movement turned away from confrontation and towards a consensus approach. The line adopted in the end was to invite all Council candi-

dates to declare their support for the Movement's aims (see Appendix D), without demanding membership as a precondition of endorsement. The result was that in some wards more than one Movement supporter competed for the seat while in others there was no candidate at all.

Nevertheless the Movements provided a focus for political debate in a series of contests<sup>(33)</sup> where the only organised competition came from the Labour Party.<sup>(34)</sup> Appendices B and C show the outward similarities of the election manifestoes of the Movements; although there were differences on some of the issues, most of the items were identical.

The results of the elections, particularly in Shetland, are none too easy to assess. On the one hand the Shetland movement could claim that more than half the members of the SIC had declared support for their manifesto, which had thus been endorsed. This "mandate theory" was disputed by the Movement's opponents, who pointed to the number of unopposed returns (ten of the sixteen unopposed Councillors were Movement supporters) and to the defeat of Movement candidates in four wards (out of the nine wards contested). The Movement's strength within the Council chamber was soon tested. In the keenly contested election for the convenership, Edward Thomason, a leading Shetland Movement member, failed by one vote to oust the outgoing Convener, A.I. Tulloch.<sup>(35)</sup> Thomason however was elected Vice-Convener and as such chairs the important Resources Committee. If the cohesion of the Shetland Movement was insufficient to elect a Convener, it was nevertheless strong enough to exercise a decisive influence on elections for committee chairmanships. Of particular significance is the strong representation of Movement members on all the committees which have to deal with constitutional matters. It may be somewhat fanciful but one is reminded in a way of a US Congress in microcosm in which the majority party is influential but does not itself form the administration.

The OIC position is quite different. The Orkney Movement expressed itself content with the election results. Although it lost its only two declared supporters, it gained three others in addition to the electoral victory of Spencer Rosie already mentioned. Thus four out of the five new Councillors elected were Orkney Movement supporters. But the Movement is still a minority (all newcomers) in the Council and, possibly as a result, had no success in elections to the "constitutional" committees. Accordingly it will have to rely on the goodwill and

sympathy of the older-established councillors, including the key figure of the Convener, Edwin Eunson, re-elected by a comfortably majority.

As a final word, it has to be pointed out that, although there is no "Western Isles Movement", there exist certain preconditions which suggest that autonomous feeling might come to be officially expressed there too. First of all, the principle of island autonomy is the official policy of the party of which Donald Stewart, MP, is the Parliamentary leader. Secondly, Stewart's Labour opponent in 1979, Councillor Sandy Matheson, shortly before the Council elections expressed his personal support for autonomy.<sup>(36)</sup> After the May 1982 elections Councillor Matheson was elected Convener of Comhairle nan Eilean.

So the possibility exists of a convergence of views of the three Island Councils and indeed one of the first steps taken by the newly elected councils was to organise a tripartite meeting to discuss their approach to the Montgomery Committee and produce a co-ordinated procedural response. The evidence provided to, and the hearings to be held by, the Committee should indicate how much common ground there is and conversely how many special circumstances and differences of objectives remain.

#### ENDNOTE : ACKNOWLEDGEMENTS

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#### APPENDICES

- Appendix A Orkney Movement Introductory Leaflet (1980)
- Appendix B Orkney Movement Statement, Spring 1982
- Appendix C Shetland Movement Statement, October 1981
- Appendix D Shetland Movement Manifesto, March 1982

#### REFERENCES

1. Report of the Committee of Inquiry into Local Government in Scotland. 1981. Cmnd. 8115. See M.G. Clarke, "Stodart and Local Government: was the fuss justified?" in H.M. and N.L. Drucker (eds.), The Scottish Government Yearbook 1982.
2. See, for instance, J.M. Fenwick, "The Shetland Experience: a

local authority arms itself for the oil invasion," in The Scottish Government Yearbook 1978.

3. The official title of the County at the time. Zetland and Shetland are alternative derivations from the Norse Hjaltland.
4. Cmnd. 1728: see pp.86-88.
5. The Orcadian, 3.1.1963.
6. Cmnd. 2067
7. With a Shetlander as its first Chairman (Shetland Times, 4.11.1966).
8. Jo Grimond, MP succeeded in getting a suitable amendment passed by the House of Lords in the course of an all-party campaign, involving letters to the London Times and The Scotsman, against the proposals (Shetland Times, 14.7.67 and 4.8.67). The insistence of the Scottish Office ministers on reversing this amendment came as a shock to the islanders, and their generally intransigent attitude fuelled island resentment. See Shetland Times 11.8.1967. This sphere of responsibility was eventually to be restored to the islands in 1974/75.
9. Of the "Shetland People's Republic," at Channerwick bridge. Nine students were held responsible. Shetland Times, 29.9.1967.
10. The Orcadian, 28.12.1967 (emphasis added).
11. The Zetland County Council (ZCC) initially boycotted the Water Board by refusing to nominate a representative.
12. Royal Commission on Local Government in Scotland: written evidence (HMSO, 1967 and 1968.) Vol. XVII, pp.3-11, 80-85; XXIII, p.23ff. Representations were made by a number of other bodies in Orkney and Shetland (XIII, pp.9-10, 16; XIV, pp.21-22, 48; XXVI, p.34). Support came also from the Scottish National Party, An Comunn Gàidhealach (Northern Region) and the Saltire Society (ibid., VI, p.12; X, pp.12, 18-19).
13. A viewpoint shared by counties as diverse in size as Clackmannanshire and Sutherland (ibid., XV, p.30 and XVII, p.70). Likewise evidence was submitted from Islay in favour of enhancing the powers of district councils such as Islay (ibid., XIII, p.38).
14. Cmnd. 4150, pp.176-181
15. In contradistinction to the Written Evidence submitted to the Wheatley Commission by the Scottish Liberal Party (op. cit., VI, pp.7-8). Johnston's line, endorsed by Grimond, was later adopted by the Party's Annual Conference.
16. Cmnd. 4583
17. Op. cit., XVIII, p.40; XXV, pp.9-10; support came also from the SNP, the Saltire Society and An Comunn Gàidhealach's Northern Regional Council (loc. cit.).
18. See The Economist, 17.7.1971, p.59.
19. Gaelic is not, of course, confined to the Outer Hebrides.
20. I am indebted to Chris Himsworth of Edinburgh University's

Constitutional and Administrative Law Department for some illuminating comments on the Act.

21. For the record it was Colin Luckhurst, the then ZCC Development Officer, who in 1966 was the first local government officer in Scotland to take any initiatives on possible oil development ("Sullom Voe Special", Radio Shetland, 7.5.1981).
22. Ibid.
23. The description is that of Cllr. Jim Irvine (ibid.).
24. Under the leadership of Graeme Lapsley, who became County Clerk & General Manager of the OCC in 1971.
25. The main difference was the lack of an equivalent, in Orkney's case, of the participation agreement which set up the Sullom Voe Association. See The Scotsman, 25.4.1979
26. Moved by Betty Harvie Anderson, MP for East Renfrewshire. Hansard, Vol. 924, col.351.
27. Minutes of a Special Meeting of Orkney Islands Council, 14.6.1978.
28. For a discussion see the Glasgow Herald, 21.3.1978
29. M. Dowle, "The Birth and Development of the Shetland Movement, 1977-1980", Scottish Government Yearbook 1981
30. Admirably described by Dowle, ibid. For a summary of the aims of the Orkney Movement see Appendices A and B below.
31. On Saturday 9.2.1980 (witnessed by the writer).
32. Joined by Coll and Tiree in the Inner Hebrides (part of Strathclyde Region).
33. Radio Shetland and Radio Orkney offered the freedom of the ether to each candidate. Virtually all availed themselves of the opportunity to state their individual case.
34. While long-established in Shetland, from the days of the Lerwick Town Council, Labour drew the editorial wrath of The Orcadian by the decision to field official candidates for the first time for the Orkney Islands Council. Labour in Shetland had become predominantly anti-Shetland Movement, despite the presence of Labour members amongst the founding fathers of the Movement.
35. A.I. Tulloch has achieved the distinction of being popularly nicknamed "the Ayatollah".
36. "Network U.K.", BBC World Service, 25th-27th June, 1982.

## Appendix A

Orkney Movement Introductory Leaflet (1980)

## THE ORKNEY MOVEMENT WHAT IT SEEKS

To bring government where it belongs  
- to the local people.

To have more control over our own affairs: expenditure, fire service, police, shipping services, fishing and agriculture. We do NOT seek independence.

A Commission to be set up to look into the future of Orkney and Shetland.

To seek out and utilise alternative sources of energy with a view to making Orkney self-sufficient in energy.

Implementation of the Orkney and Shetland fishing plans.

### Our Achievements and Failures In Four Months

Alternative energy is one of our policies. Now the H.I.D.B and Hydro Board are advocating the same.

We were among the first to question the legality of the Hydro-Board surcharge.

We were the first in Orkney to advocate deducting this 10 per cent surcharge. A close working relationship was achieved with the Shetland Movement.

We lodged objections to the increases in the British Airways fares but were not invited to the Civil Aviation Authority inquiry, with the result we were unable to present our full case.

We shall continue to campaign but we need your support.

### MEMBERSHIP OF THE MOVEMENT COSTS £1.

# THE ORKNEY MOVEMENT?

## SOME OF YOUR QUESTIONS ANSWERED

1. *Is the Orkney Movement a political party?*  
Yes. But it is non-party political. We stand for a greater degree of local control over Orkney's affairs.
2. *Does the Orkney Movement seek independence from the U.K.?*  
No. It seeks special status giving the people of Orkney greater freedom to make decisions regarding local issues.
3. *How will special status help Orkney?*  
It will give Orkney the ability to conserve and develop all local resources in its own interests. It will also enable Orkney to legislate on matters of vital concern to itself.
4. *What does this mean in a practical way?*  
Take uranium for example. The Secretary of State for Scotland has the power to over-rule the O.I.C.'s decision. We believe that local government should have the right to make the decision.  
Another example. Recent derogating proposals by central government—Orkney should have the power to amend national legislation if unsuitable.
5. *Is the Movement saying that Orkney will have to be self-supporting?*  
No. The Movement is suggesting that Orkney should collect her own direct taxes, mainly rates and income tax. In return she would take complete responsibility for some of our services e.g. housing, roads, ferries, local industry, etc.  
The central government would continue to collect indirect taxes such as V.A.T. It would also continue to provide services such as Health, education, social security, etc. In addition to indirect taxes collected by central government Orkney would make a contribution, according to her means, toward the cost of these services.
6. *Does the Movement think central government will look with favour on such proposals?*  
The cost to central government is not likely to be any higher under Movement proposals. Faroe and Greenland have found Denmark most willing to give them the sort of status the Movement is talking about. The choice would seem to be between spending money to maintain an enterprising and nearly self-sufficient community in the islands or neglecting them as they so often have been in the past. The familiar pattern of the decaying province would then be seen again—the young, the enterprising and the ambitious would leave and within a generation or two, only an ageing and dispirited Orkney would remain, costing as much to the British Treasury in social security benefits as would have sufficed to keep a vigorous community working and happy.

7. *The Movement believes that an Assembly should be set up. Will there continue to be an O.I.C. as well as an Assembly?*  
No. At the moment we elect an O.I.C. Under Movement proposals an Assembly will be elected instead of an O.I.C.
8. *Does this mean that we just wait the O.I.C. to have more power?*  
No. We believe the Assembly should have more power but we also want fundamental changes in the structure of the elected body. Further we want to make it possible for a wider variety of interests to be represented. At present many people who would make valuable councillors are prevented from standing because they do not have the time or are prohibited because of their jobs. We must make it possible for these people to stand.
9. *Will there be any difference in the duties of elected members?*  
They will have the same duties as those presently carried out by the O.I.C. In addition they will need, on occasion, to put forward amendments to Westminster laws and make new laws.
10. *Will Movement proposals mean that local government will cost a lot more?*  
There is no reason why it should. There should be no need to increase the number of officials—in fact we envisage a REDUCTION in the number of Departments. However, even as things are now we believe that at least some Councillors should be full-time and paid.
11. *What about Community Councils?*  
We believe that Community Councils should be given the increased powers and finance necessary in order to act more effectively in local communities. These increased powers would of necessity lighten the burden on the elected assembly, leaving it free to concentrate on the wider issues.
12. *What about Orkney's future when the oil runs out?*  
We have a strong basis in agriculture which must be protected as it also leads to employment for many more in related service industries. But even this creates only a finite number of jobs. We have to create jobs and one method of doing so would be to expand the fishing industry, creating further employment in fish processing in the islands and in service industries. The fishing industry is a labour intensive industry based on a renewable resource unlike oil which is non-renewable.
13. *How can an expanding fishing industry be achieved in Orkney when Britain's fishing industry is on the decline?*  
It can only be achieved by getting our own fishing limits and if necessary withdrawing from the E.E.C. to do so.
14. *Does the Movement want to see Orkney out of the E.E.C.?*  
Yes. If it means gaining our own fishing limits, but we feel this question should only be decided through a local referendum. Greenland recently voted in a referendum to withdraw from the E.E.C., mainly because of the fishing question.
15. *Can anybody join the Orkney Movement?*  
Yes. Membership is open to all who are interested in the future of Orkney.

155

# ORKNEY



# MOVEMENT

## INTRODUCTION

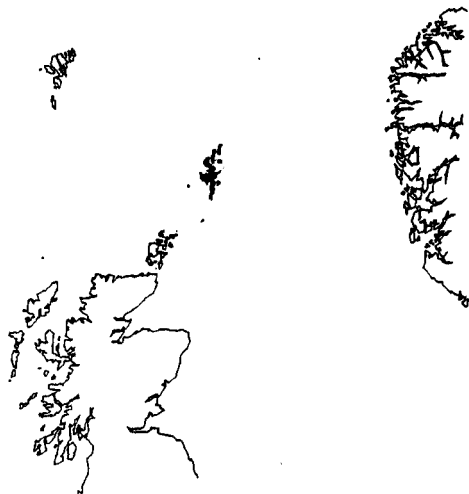
**OIL** for good or for bad, came to Orkney in the seventies. It has brought with it a degree of prosperity, employment, and has arrested the decline in population of the islands. It will continue to be one of the main employers in Orkney for a number of years, to come. But what happens in 20, 30, 40 years when the oil runs out. The Orkney Movement believes that, if there are no changes in the present set up of local government then Orkney will return to a declining, ageing population with little prospects for the young. The oil has given us a breathing space—a breathing space in which we can examine critically our present situation and try and find a new path for the future. We believe that that path lies in gaining a much greater say over our own affairs—i.e. gaining autonomy for Orkney.

In March, 1981, the Shetland Islands Council asked the government to set up a commission to review the constitutional status of the islands. This is the first step towards this new path. This path need not be dark. There already exist a number of autonomous islands not very far from Orkney. Five examples can be quoted—The Isle of Man and the Channel Islands belonging to the United Kingdom, the Faroe Islands and Greenland belonging to Denmark and the Aaland Islands belonging to Finland. In February, 1982, the Shetland Islands Council's request was partially granted when the Secretary of State for Scotland, Mr. George Younger, agreed to set up a committee of inquiry into local government in Shetland, Orkney and the Western Isles. The purpose of this paper is to enlighten the people of Orkney as to the full implications of an autonomous Orkney. We feel that this is such an important subject that we are sending this paper to every home. We ask you to read it, to think about it, and to make up your mind whether or not the Movement is talking sense. Or do you think everything will be fine if we sit back and wait?

154



# SHETLAND



# MOVEMENT

## SHETLAND'S FUTURE

Shetland is now entering on one of the most difficult periods of her history

- Sullom Voe Construction is nearing an end.
- Unemployment on a massive scale stares us in the face.
- The Fishing Industry is in the doldrums and its future looks bleak indeed.
- Industrial Derriving at Sullom Voe will send our rates soaring.
- Our "oil money" is hedged around with restrictions. The willingness of Councilors to use it constructively is not in doubt, but that willingness is repeatedly frustrated by legal difficulties.

The Shetland Movement believes action is needed. That is why this is being sent to every home in Shetland. That is why the Movement asks you to read it — or to think about it — and make up your mind whether or not the Movement is talking sense. Or do you think everything will be fine if we sit back and wait?

## THE SHETLAND MOVEMENT?

Some of your questions answered

1. *Is the Shetland Movement a political party?*  
Yes. A party standing for a greater degree of local control over Shetland's affairs.
2. *Does the Shetland Movement seek independence from the UK?*  
No. It has never sought separation from Britain. It seeks special status giving Shetlanders greater freedom to make decisions regarding local issues.
3. *How will special status help Shetland's future?*  
It will give Shetland the ability to conserve and develop all local resources in its own interests. It will also enable Shetland to legislate on matters of vital concern to itself.
4. *That sounds complicated. What does it mean in a practical way?*  
Here is a small example. When you take your boat down from the moor in the Voe and anchor her in the Voe, you have no right to do so. Neither have you the right to anchor a mussel raft. You should have the permission of, and pay your fee to, the Crown Estate Commissioners. Otherwise you are breaking the law. We should have the power to amend a law like that.  
Here's another example. Under current regulations the oil industry has every right to seek derting at Sullom Voe as soon as their gas extraction installation becomes operational. That will mean soaring rates for all of us. We think that Shetland should have the power to make a law which would take care of a situation like that.
5. *Is the Movement saying that Shetland will have to be self-supporting?*  
No. The Movement is suggesting that Shetland should collect her own direct taxes, mainly rates and Income Tax. In return she would take complete responsibility for some of our services, e.g. housing, roads, ferries, local industry, etc.  
The central government would continue to collect indirect taxes such as VAT. It would also continue to provide services such as health, education, social security, etc. In addition to the indirect taxes collected by central government, Shetland would make a contribution, according to her means, towards the cost of these services.
6. *Does the Movement think central government will look with favour on such proposals?*  
Why not? At present government gives Shetland a substantial Rate Support Grant. Cost to central government is not likely to be any higher under Movement proposals. In any case, as Shetland's reasonable value rises, so will the Rate Support Grant decrease. In a year or two it will probably have virtually disappeared.  
Faroe and Greenland have found Denmark most willing to give them the sort of status the Movement is talking about. The benefit to Faroe is clear. Denmark is quite happy too.
7. *Does the Movement want to see Shetland out of the EEC?*  
The Movement believes that fishing is of crucial importance to Shetland — not merely to the fishermen, but to everyone in the islands. Our future, like our past, depends on the land and on the sea.  
An adequate fisheries' agreement from the EEC — and everyone will probably be happy. Failing that — and it certainly does not look very hopeful at the moment — then the only course is to get out of the EEC. That can only be done if Shetland gets the sort of powers the Movement suggests.  
We should not forget that Shetlanders voted conclusively to stay out of the EEC.

## COMMITTEE OF INQUIRY

In February, 1982, the Secretary of State for Scotland, Mr. George Younger, announced the establishment of a committee to review the workings of the three island authorities—Shetland, Orkney and the Western Isles—and 'to recommend whether any changes in legislation or in administrative practice are desirable in the local and national interest'.

## WHY WE NEED IT

Are you satisfied with the way local government operates at present?

We believe reform is needed for the following reasons:

- Too many councillors are taking decisions on matters about which they know nothing.
- Too many decisions are taken in committee.
- Like central government the present local government is too centralised.
- Like central government the present local government is far too bureaucratic.
- National legislation is often unsuitable for Orkney.
- Currently there is little freedom to move financially.
- Community Council advice often ignored.

If you agree with all or any of the foregoing points then you will agree we need this committee of inquiry. This committee must be used to the full. We believe that the terms of reference of the committee are such that they give us an opportunity to discuss a wide range of reforms. The first and foremost of our aims will be to ensure that we get a more open and democratic type of government. We must also get rid of all unnecessary bureaucracy. What is needed is less government, not more.

WE BELIEVE THAT THE COMMITTEE OF INQUIRY SHOULD BE TOLD THAT THERE IS NO USE IN TINKERING WITH THE PRESENT MACHINERY. IT NEEDS A DRASTIC OVERHAUL

## Summary of Constitutional Proposals

1. Orkney to be governed by an elected Assembly or Althing possessing limited legislative powers elected by a system giving fair representation to all the people of Orkney.
2. The Assembly to have the power to legislate on local issues.
3. The Assembly to have the power of amendment on National legislation considered unsuitable for Orkney.
4. The Assembly to have the power of veto over national government in matters concerning a local issue.
5. The Assembly to have control over Mineral Rights.
6. All direct taxation eventually to be levied by the Orkney Assembly. Indirect taxation by central government.
7. In respect of central government services continued in Orkney, such as health and social security, education, law, defence, etc. the Orkney Assembly shall make an appropriate financial contribution to central government.
8. Orkney to have the right to negotiate special status with the E.E.C. or to leave the E.E.C. if necessary.
9. Community Councils to be given increased powers and finance to enable them to act effectively in the interests of the local communities.
10. Any change in the present O.I.C. constitution to be subject to a referendum of the Orkney people.

## THE FUTURE OF THE SHETLAND FISHING INDUSTRY

### No Common Fisheries Policy by January 1983?

With the election of Monsieur Francois Mitterrand as the President of France all hopes of a satisfactory Common Fisheries Policy must surely be dashed. After all, in his election speeches, Monsieur Mitterrand accused Giscard d'Estaing of having been "far too soft on British fishermen" and pledged that he would be more firm in negotiations. As a result it is most likely that the French will simply play a waiting game for 18 months, by which time (January 1983) they, along with all other EEC countries, will have the legal right to literally fish up to our beaches.

### Legal Decimation of our Fishing Grounds

The implications of this are almost too horrific to contemplate. Imagine huge French trawlers fishing off FEAR while a fleet of Danish industrial trawlers catch immature whiting in the Burra haaf — not to mention the Dutch and German herring trawlers fishing off the Bard. Within a few years the inshore fishing grounds around Shetland would be decimated and the backbone of the Shetland fishing industry would be broken. Not only would the collapse of our fishing industry spell social and economic disaster for the fishing communities of Whalsay, Burra, Skerries, Yell, Northmavine, and Skaid, but it would also seriously jeopardise the whole economy of Shetland in the post-oil era.

### The Shetland Fishing Plan

If there is no satisfactory Common Fisheries Policy by January 1983, and the local fishing grounds are opened up for legal overfishing by our European partners, then it will be stark proof that the EEC has not paid any attention to the Shetland Fishing Plan. This will indeed be a tragedy because the Fishing Plan offers both a realistic and reasonable solution to the problems of overfishing around Shetland.

### What can be done?

If this happens, we in the Shetland Movement believe there can only be one effective solution to our problems — for Shetland to leave the EEC and establish a 200 mile limit of our own. This is only logical and reasonable because, after all, the majority of Shetlanders voted against remaining in the EEC in the 1975 referendum.

### How can this be done?

In order to withdraw from the EEC Shetland must first redefine her relationship with the rest of the UK and obtain a measure of autonomy with more control in certain areas — including fishing. With this new constitutional status it would be a relatively simple legal matter for Shetland to leave the EEC.

This no pipe dream — there are precedents. For instance the Faroe Islands (with their autonomy from Denmark) had the foresight not to join the EEC when Denmark joined. In addition, Greenland (which did join the EEC along with Denmark) has recently received a measure of autonomy from Denmark and has begun negotiating to leave the EEC.

### What can you do?

In order to receive a measure of autonomy from the UK we must demonstrate to the British Government that Shetlanders are dissatisfied with the status quo. The Shetland Movement has been doing this for some time now. The more members we have the greater impact we can make.

**Help Shetland get its 200 mile limit . . . .  
join the Shetland Movement**

### 8. You say our future depends on the land and on the sea. Your concern about the sea is clear. What about the land?

The Movement recognises the vital importance of our land. Without the land, the sea alone is little use. Without the sea, the land alone is little use.

Aid to crofters is already coming from the British Government. The Movement does not intend that crofters should lose out in any way on that.

But the Movement believes that much more is needed. We must have action aimed at increasing cattle stocks, at improving both cropping and pasture, at stabilising milk supplies all year round, at improving sheep stocks and so on. That means money — additional grants certainly, but, more importantly, low interest loans. Present regulations make it impossible to use money freely for these purposes. The freedom advocated by the Movement is essential.

### 9. What is meant by "more financial freedom"?

Shetland's main direct income is from rates and government grants (e.g. rate support grant). Use of that money is strictly controlled by national regulations.

One would think our "oil" money — Shetland's own money — could be used as the Council thinks best in Shetland's interests. Not so. The freedom to use it is strictly limited.

### 10. Do the weaknesses of the SIC not arise more from the poor calibre of its members than from the system itself?

The Movement believes that our Councilors have, generally speaking, acted wisely within the limits of power accorded to them by Central Government. Most of the apparent shortcomings of the SIC arise from the fact that local authorities often have little freedom of choice in matters of vital local importance. Councilors are also part-time, unpaid representatives who normally have to earn a living as well as attend council meetings. In short councilors have neither the power nor the time to act otherwise than they do.

### 11. The Movement believes that an Assembly should be set up. Will there continue to be an SIC as well as an Assembly?

No. At the moment we elect an SIC. Under Movement proposals an Assembly will be elected instead of an SIC.

### 12. Will there be any difference in the duties of elected members?

They will have the same duties as those presently carried out by the SIC. In addition, they will need, on occasion, to put forward amendments to Westminster laws and make new laws.

### 13. Will Movement proposals mean that local government will cost a lot more?

There is no reason why it should. There should be no need to increase the number of officials — in fact, we envisage a reduction in the number of Departments. Moreover, even as things are now we believe that at least some Councilors should be full-time and paid.

### 14. What about Community Councils?

We believe that Community Councils should be given the increased powers and finance necessary in order to act more effectively in the interests of local communities.

### 15. Why does the Movement support the request for a Commission to investigate the future government of Shetland?

Because the people of Shetland voted overwhelmingly for the establishment of a Commission in the local referendum of 1978.

### 16. One or two critics have said that the Movement is power-hungry. Is there any truth in that?

Absolutely none. The Movement's aim is to secure more freedom for Shetland. If that can be achieved the Movement will cease to exist.

### 17. Can anybody join the Shetland Movement?

Yes. Membership is open to all who are interested in the future of Shetland.

## SUMMARY OF CONSTITUTIONAL PROPOSALS

1. Shetland to be governed by an elected Assembly or Athing possessing limited legislative powers.
2. The Assembly to have the power to legislate for Shetland, subject only to scrutiny by the Secretary of State for Scotland (acting in the interests of the UK) in the following fields: finance, local industry, including agriculture and fishing, control of fishing limits round our shores, housing, educational buildings, roads, internal transport, administration, piers and harbours.
3. The Assembly to have the power to seek amendment of any national law applicable to Shetland but considered by the Assembly to be prejudicial to Shetland's best interests, such law to remain inoperative in Shetland until agreement is reached.
4. All direct taxation to be levied by the Shetland Assembly, indirect taxation by central government.
5. In respect of central government services continued in Shetland, such as health and social security, education, law, defence, etc., the Shetland Assembly shall make an appropriate financial contribution to the central government.
6. Shetland to have the right (if it wishes) to leave the EEC while still remaining part of the UK.
7. Any extension of the Assembly's powers to be negotiated with the national parliament.
8. Any change in the present constitution to be subject to a referendum of the Shetland people.

## THE LEAD UP TO MORE LOCAL CONTROL

The Shetland Movement believes Shetland should have more control over her own affairs. There is nothing new in this belief. Indeed, over the last decade Shetland has successfully pressed for greater control. For example:

- In 1969 Shetland's bitter opposition to the Wheatley Commission's recommendation that we should be included in the Highland Region resulted in Shetland becoming a multi-purpose authority.
- In 1974 The ZCC Act gave Shetland powers held by no other local authority, mainly to give us greater control over the oil industry.
- In 1975 Shetland gave a resounding NO in the EEC referendum.
- In 1978 90% of those voting in the local referendum requested that a Commission be set up to investigate Shetland's Constitutional links with the UK.
- In 1979 Shetland produced the Shetland Fishing Plan which has gained widespread acceptance within the fishing industry.

## WHY MORE LOCAL CONTROL?

There are two main reasons:

1. For too long Shetland has been hampered by inflexible central government legislation unsuited to local conditions.  
For example:  
(a) our Council's spending patterns determined by central government rather than local needs  
(b) our Council unable to use oil monies in best interests of Shetland  
(c) Shetland's fishing grounds allowed to be over-fished by foreign fleets  
(d) unnecessary delays on key projects by Government planning controls, e.g. Blackness Pier  
(e) national pollution controls inadequate for local conditions  
(f) imposition of EEC regulations which take no account of remoteness or size of community, e.g. legislation on dairies, slaughterhouses.
2. Our remoteness and type of economy — based largely on fishing and agriculture — makes it essential that we can act swiftly and with the maximum use of local knowledge in the difficult days ahead. We cannot afford to wait for Brussels, Westminster or Edinburgh to solve our problems. And the days ahead hold many problems for Shetland, including: a heavy burden of debt incurred by oil industry infrastructure; the prospect of Sullom Voe Terminal being given industrial de-rating; mounting unemployment; continuing decline of our fishing industry; the prospect of more centralised control and financial restrictions from an embattled national government.

## WE DO NOT SEEK INDEPENDENCE . . . .

*Merely the opportunity to have a greater say  
in matters which will affect Shetland's future.*

## THE MAY ELECTIONS

*Shetland faces many problems in the years immediately ahead:*

- unemployment as Sullom Voe construction runs down
- overfishing of our grounds by European fleets
- industrial derating of Sullom Voe with local rates soaring as a result
- continued central government restrictions on use of our oil money.

*It is essential that the new Council to be elected in May faces these problems united behind a common purpose. With that end in view The Shetland Movement has prepared a Manifesto which it believes could be acceptable to anyone interested in Shetland's future, and which it is inviting all candidates of like mind to support.*

## Shetland Movement Manifesto October 1981

1. We believe that a strong fishing industry is of vital importance to Shetland's future. To achieve this we believe that, in the waters around Shetland, a strict licensing scheme for all boats, allied to a regional preference for local vessels, is essential. The Shetland Fishing Plan sets out, clearly and unselfishly, the long-term, minimum requirements to ensure continued fishing in Shetland waters.
2. We believe that, following the Council's ten-year plan for agriculture, long-term plans for fishing, hawthorn and tourism should now be prepared.
3. We believe the Council should have a clearly agreed policy for the use of its "oil" money. We suggest three main areas for consideration: (a) support for the social needs of all sections of the Shetland community; (b) support and encouragement for local industry in order to increase employment prospects, particularly for young people; (c) support for domestic and small business ratepayers in the event of oil-related infrastructure costs creating unduly high rate demands.
4. We believe a Development Agency should be formed, funded by the Council from "oil" revenues, and including non-Council as well as Council members on its executive body.
5. In order to fulfil these requirements we realise the Council, while using its existing powers to the full, will still require greater freedom in the use of its oil revenues than it has had in the past.
6. We believe the Council should have greater say in determining priorities in the use of government money allocated for capital projects. A block grant is an immediate objective.
7. We believe Community Councils should be given increased financial resources to encourage them to exercise their existing powers to the maximum benefit of the people in their areas.
8. We believe these principles cannot be effected under existing laws, and that constitutional change, involving greater control over our own affairs, is the only answer. We believe that Hareket legislation from Westminster is frequently unsuitable for remote areas such as Shetland. That is why we welcome the forthcoming Committee of Inquiry, although we feel the terms of reference should have included specific reference to greater local autonomy.
9. We believe the constitutional change envisaged would require Shetland to be administered by an elected Assembly possessing limited but real legislative powers, allied to limited powers of taxation in addition to existing rating powers.
10. We will not support any change in Shetland's status without the wishes of the people of Shetland being ascertained through a referendum.
11. We do not support any move to seek independence for Shetland.